

**MINUTES OF MARION CITY COUNCIL REGULAR MEETING**  
**COUNCIL CHAMBERS AT CITY HALL**  
**TUESDAY, MAY 9, 2017**  
**6:30 P.M.**

A regular meeting was held by City Council on Tuesday, May 9, 2017 at 6:30 p.m. over which Mayor Ashley Brady presided. Council members Ralph Atkinson, Ronald Atkinson, Michael Baker, Mayor Pro-tem Emerson, Joseph Frazier, and Tassie Lewis were present. Also present were City Administrator Alan Ammons, City Treasurer Patricia Brown, City Clerk Lakesha Shannon, City Attorney Chris Elliott, Chief Dwayne Tennie and Chief Trey Cooper.

Mayor Ashley Brady called the meeting to order and Pastor Denley Caughman gave the opening prayer. Mr. Ammons led the Pledge of Allegiance. Mayor Brady welcomed citizens, guests and the press (Hometown TV 8).

Councilman Joseph Frazier made a motion to approve the minutes of the regular meeting on April 11, 2017. The motion was seconded by Councilman Ronald Atkinson; motion carried.

Mayor Pro-tem Ronald Atkinson made a motion to appointment Councilman Emerson Hunt as Mayor Pro-tem. The motion was seconded by Councilman Ralph Atkinson; motion carried.

Officer Bobby Jones with the Police Department was named *April Employee of the Month* and received a gift certificate. Mayor Brady thanked Officer Jones for his hard work and dedication to the City of Marion.

Ms. Lois Edwards of the National Forestry Commission presented the City of Marion with its 25th Tree City USA Award. She commented that it has been a difficult 3 years due to the ice storms and flooding. She noted that in spite of these storms, the City of Marion had the knowledge and preparation to remain a Tree City USA. She also stated that the City has some very knowledgeable Tree Commission members and a supportive City Council. She stated that the City does some very good things such as budgeting funds to trim and plant trees, as well as removing hazardous trees. She stated that there may also be an opportunity to receive some

federal funding from the Forestry Commission. Ms. Edwards highlighted that the City always celebrates Arbor Day and recognizes the importance of trees. She presented Council with a plaque, flag and pin for the Tree City USA designation.

Councilman Ralph Atkinson made a motion to reappoint Rocki Flowers to the Housing Authority Committee, Phillip Atkinson to the Planning Commission, and Thomas McElveen to the Tree Commission, all for a term of 3 years. The motion was seconded by Councilman Ronald Atkinson; motion carried.

Mayor Brady stated that on May 1st, there was a break-in at the City's Maintenance Shop and unfortunately \$8,000 worth of equipment was stolen. He stated that the City is offering a \$500 reward to anyone that has information about this incident. Councilman Michael Baker made a motion to approve the \$500 reward. The motion was seconded by Councilman Frazier. Councilman Ralph Atkinson asked if the incident was reported to the insurance company. Mr. Ammons explained that the incident has been reported to the insurance company and the City is awaiting a response to determine if the stolen items will be covered under building content. Mayor Brady commented that he has asked Mr. Ammons to research pricing for a metal cage to lock up the equipment to help prevent future break-ins. Hearing no further discussion, the motion carried.

Regarding the bids for the Police Department storage building, Mayor Ashley Brady recused himself from the discussion and voting, as his brother Patrick Brady submitted a bid (*see attached recusal letter*). Mr. Ammons stated that this project was advertised on the South Carolina Business Opportunities website because the original estimate was more than \$5,000. The bids were dually advertised and the following two bids were received: Robert Nunnery Roofing for \$7,200 and Patrick Brady Construction for \$5,250. Mr. Ammons recommended that Council accept the low bid from Patrick Brady Construction. Councilman Ronald Atkinson made a motion to accept the low bid of \$5,250 from Patrick Brady Construction. The motion was seconded by Councilman Joseph Frazier; motion carried.

Mayor Pro-tem Emerson Hunt made a motion to schedule the Budget Workshop for May 16th at 6:15 p.m. The motion was seconded by Councilman Ronald Atkinson; motion carried.

Councilman Michael Baker made a motion to approve 1st Reading of Ordinance 17-01 **An Ordinance to Set Millage for Raising Funds and to Adopt the Budget for the City of Marion, Fiscal Year Ending June 30, 2018.** The motion was seconded by Mayor Pro-tem Emerson Hunt. Councilman Ralph Atkinson explained that the first reading of the budget is a preliminary action to allow Council time to meet the 15 day requirement for ordinance approvals. He stated that Council will have a Budget Workshop to further discuss the budget and prepare for the second reading. Hearing no further discussion, the motion carried.

Councilman Ronald Atkinson made a motion to approve 1st Reading of Ordinance 17-02 **An Ordinance to Appropriate Local Hospitality Revenues for the City of Marion for the 2017-2018 Fiscal Year.** The motion was seconded by Councilman Michael Baker; motion carried.

Mr. Ammons explained Ordinance 17-03 **An Ordinance of the City of Marion, South Carolina, to Amend the City of Marion Code of Ordinances and the City of Marion Personnel Policy Manual.** He stated that the current personnel policy allows the Mayor to call employees to work during a state of emergency. He stated that reimbursement from FEMA to cover pay for salaried employees is not allowed unless such an ordinance is in place. He stated that funding of about \$10,000 was reimbursed from the recent storm for salaries, but FEMA recommended that this ordinance be adopted and placed in the personnel policy to clarify future pay for salaried employees. Councilman Michael Baker made a motion to approve 1st Reading of Ordinance 17-03 **An Ordinance of the City of Marion, South Carolina, to Amend the City of Marion Code of Ordinances and the City of Marion Personnel Policy Manual.** The motion was seconded by Mayor Pro-tem Emerson Hunt; motion carried.

#### **ADMINISTRATOR'S REPORT:**

Mr. Ammons requested permission to obtain a bin from Jordan Scrap Metal to dispose of some scrap metal at the city shed. He stated that there are some out of service vehicles that were

previously listed on GovDeals; however, a minimum bid was not received. He stated the bids have been lowered and the vehicles will be advertised again. Mr. Ammons suggested that the vehicles be scrapped if a minimum bid is not received this time. He stated that there is also a 30 year old back hoe that has been out of service for about 15 years. He requested permission to advertise this item on GovDeals for \$500. If no sale is made, he would suggest scrapping this item as well. Mayor Pro-tem Emerson Hunt made a motion to sell or scrap these items as recommended by Mr. Ammons. The motion was seconded by Councilman Michael Baker; motion carried.

Mr. Ammons provided an update on the drainage project from Gregg Street to Liberty Street and stated that the work is scheduled to be complete by next week. Mr. Ammons stated that this is time of year that the City sends out notifications for non-compliance of grass and vegetation. Notices for all areas from the center of the city to the south end have been sent out, and the Code Enforcement Officer will follow up on these properties.

#### **CITY ATTORNEY'S LEGAL UPDATE**

City Attorney Chris Elliott had no update.

#### **DEPARTMENTAL REPORTS**

Mayor Brady stated that Departmental Reports are included in the Council packets.

#### **DISTRICTS AND CITY UPDATE FOR COUNCIL AND MAYOR**

Councilman Michael Baker stated that he has reported his concerns to Mr. Ammons during the month and the issues have been addressed except the lighting at Grice's Recreation basketball court. He added that Mr. Ammons advised him prior to the meeting that this issue was taken care of today.

Councilman Joseph Frazier stated that he received the notification from the Historical District Committee regarding the removal of the buildings at 217 and 219 North Main Street on May 19<sup>th</sup>. He stated that there are other dilapidated areas in the city such as Thomas Trailer Park that needs to be taken care of. Mr. Ammons stated that he will follow up with Thomas Realty regarding the area. Councilman Frazier also expressed his concerns about the abandoned Jenkins

Nursing Home building on Liberty Street and the building at 514 Dunlop Street. He stated that these buildings are a nuisance. Mr. Ammons stated that the Dunlop Street building is owned by the County and he will contact County Administrator Tim Harper. Councilman Frazier requested that Mr. Ammons send a formal letter to Mr. Harper to address this issue.

Councilman Ronald Atkinson asked Chief Dwayne Tennie if the School Resource Officers receive direction from him as Police Chief or from the School District. Chief Tennie stated that the resource officer works under the police department but they are directed by the school district when they are on campus. Councilman Ronald Atkinson asked who handles the situation when there is a fight or a weapon present on campus. Chief Tennie explained that the police department would handle any criminal incidents and charges would be brought forth. Councilman Ronald Atkinson stated that he was told that some students are arrested for fighting and others are not, apparently depending on the school principal. He asked at what point they would stop a student from hurting a teacher or someone else, rather than trying to protect the school's rating by not arresting them. He stated that this type situation should be handled the same at all schools. Chief Tennie responded that certain fights are handled administratively by the principal which includes suspending the student, but if a weapon is involved the police department will press charges.

Councilman Ralph Atkinson had no update.

Councilwoman Tassie Lewis commented that she addressed her concerns with Mr. Ammons regarding the lighting on Gibson Street. She stated that she received several phone calls about poor lighting in that area, and noted that someone was almost hit by a vehicle due to this issue.

Mayor Pro-tem Hunt thanked the citizens of District 3 for re-electing him as City Councilman. He stated that he is honored and deeply humbled to represent the citizens of his district.

Mayor Ashley Brady expresses his appreciation to Council for contacting Mr. Ammons to address their concerns. In response to Councilman Joseph Frazier's comments about the buildings

on North Main Street, Mayor Brady stated that these buildings were in violation of the Historic District. He stated that the City is in the process of trying to hire an equipment operator to demolish the older buildings that they have legal rights to. Mayor Brady stated that he has rode in every area of the city and noted the buildings that needed to be addressed. He stated that the City will take care of the buildings they have legal rights to. Mayor Brady noted that the City will host a summer camp this year at Grice's Recreation Center under the leadership of Mrs. Ellen Baldwin, and applications are now being accepted.

### **EXECUTIVE SESSION**

Councilman Ralph Atkinson made a motion to enter executive session to receive legal advice on the City Compost Site and the Asbestos Survey and Abatement, and to discuss the City Attorney agreement. The motion was seconded by Councilman Ronald Atkinson; motion carried.

Returning from executive session, Mayor Ashley Brady stated that no action was taken. Councilman Ralph Atkinson made a motion to return to regular session, seconded by Councilman Joseph Frazier; motion carried.

Councilman Ralph Atkinson motioned that Council move forward with the bid from Asbestos Solutions, Inc. on the scope of work for the asbestos survey and abatement for flood damages at the Fire Department, and to allow the City Treasurer the lead way to find funding in the FY 2017 budget, and the FY 2018 budget if necessary, to accommodate the costs. The motion was seconded by Councilman Joseph Frazier; motion carried.

Councilman Ralph Atkinson made a motion to move forward with bids for the City Compost Site at \$35,000, with the agreement that \$15,000 would be paid from the current budget and the balance from the FY 2018 budget. The motion was seconded by Councilman Ronald Atkinson.

### **ADJOURNMENT**

Councilman Ronald Atkinson made a motion to adjourn. The motion was seconded by Councilman Ralph Atkinson. Mayor Pro-tem Emerson Hunt requested to add an item to the

agenda. Attorney Chris Elliott clarified that Mayor Pro-tem Hunt can express his desire to an add agenda item now or he can make his request after the meeting. Mayor Pro-tem Hunt requested that an item be added to next month's agenda to discuss a contract with the terms and conditions for the City Administrator during executive session. Hearing no further business, the motion to adjourn carried.

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Mayor Ashley Brady

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City Clerk Lakesha Y. Shannon

Taped: May 9, 2017